

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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**PAMELA BURNS, as the surviving parent )  
of Paula Smith, Deceased, and also as )  
Representative of the Heirs, Minor Children )  
and Estate of Paula Smith, Deceased, and/or )  
for the Use and Benefit of the Heirs, )  
Minor Children of Paula Smith, Deceased; )  
and DELONDRE HARRIS, Individually )  
and as Surviving Father/Representative )  
of Minor Children of Paula Smith, Deceased, )**

**Plaintiffs,**

**v.**

**No. 2:19-cv-02071-JTF-dkv**

**TAURUS INTERNATIONAL )  
MANUFACTURING, INC., and )  
TAURUS HOLDINGS, INC., )**

**Defendants.**

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**ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND  
DENYING PLAINTIFFS' MOTION TO VOLUNTARILY DISMISS ACTION  
AND DISMISSING THE CASE WITH PREJUDICE**

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On June 20, 2019, Plaintiffs filed their Motion to Voluntarily Dismiss Action. (ECF No. 41.) On June 28, 2019, Defendants filed their Motion for Summary Judgment. (ECF No. 43.) On November 20, 2019, the Court entered an Order Denying Defendants' Motion for Summary Judgment (ECF No. 54), and an Order Granting Plaintiffs' Motion to Voluntarily Dismiss Action without Prejudice (ECF No. 55).

Following Defendants' Appeal of the Court's Orders, Case Number 19-6383, on September 2, 2020, the Sixth Circuit Court of Appeals entered an Opinion reversing this Court's

denial of Defendants' Motion for Summary Judgment and this Court's grant of Plaintiffs' Motion for Voluntary Dismissal. (ECF No. 66). Accordingly, pursuant to the Sixth Circuit Court of Appeals' Opinion, Defendants' Motion for Summary Judgment is **GRANTED**, and Plaintiffs' Complaint is **DISMISSED WITH PREJUDICE**. Plaintiffs' Motion for Voluntary Dismissal Without Prejudice is **DENIED**.

**IT IS SO ORDERED** this 9th day of November 2020.

*s/John T. Fowlkes, Jr.*  
JOHN T. FOWLKES, JR.  
United States District Judge